

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:19-cv-17-MOC-DCK**

**THE TRAVELERS INDEMNITY** )  
**CO. OF AM. as subrogee of CVB,** )  
**d/b/a Malouf,** )  
**Plaintiff,** )  
 )  
**vs.** )  
 )  
 )  
**SCHWARZ & SCHWARZ, LLC, et al.,** )  
 )  
**Defendants.** )  
\_\_\_\_\_ )

**ORDER**

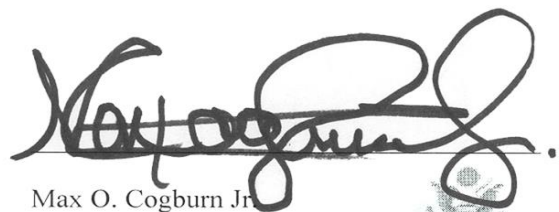
**THIS MATTER** comes before the Court on a Motion to Dismiss filed by Defendant Schwarz & Schwarz, LLC, (Doc. No. 7).

Plaintiff filed this action on February 15, 2019. (Doc. No. 1). On March 26, 2019, Defendant filed the pending motion to dismiss. (Doc. No. 7). While the motion to dismiss was pending, Plaintiff filed an Amended Complaint. (Doc. No. 13). Because Plaintiff has filed an Amended Complaint, the pending motion to dismiss the original Complaint is now moot.

**IT IS THEREFORE ORDERED** that:

- (1) The pending Motion to Dismiss filed by Defendant Schwarz & Schwarz, LLC, (Doc. No. 7), is hereby terminated as moot.

Signed May 6, 2019



Max O. Cogburn Jr.  
United States District Judge